

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Attorney Docket No.

3459-10

As the below named inventors, I/We hereby declare that:

My/Our name(s), residence(s), post office address(es) and citizenship(s) is/are as stated below next to my/our name(s).

If one name appears below, I am the sole inventor of the subject matter sought to be patented.

If two or more names appear below, we are joint inventors of the subject matter sought to be patented.

I/We believe I/We am/are the original; and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ADAPTIVE PATTERN RECOGNITION BASED CONTROL SYSTEM AND METHOD

the specification of which

☒ is attached hereto.

☐ was filed on _____ as application Serial No. _____.

I/We hereby state that I/We reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I/We also acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.63(d), which occurred between the filing date of the prior application and the filing date of the continuation-in-part application, if this is a continuation-in-part application.

I/We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for the patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application: _____ Application No.

filed

Priority Claimed: _____ Yes _____ No

I/We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status
(patented, pending, abandoned)

Application Serial No.

Filing Date

Status
(patented, pending, abandoned)

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I/We hereby appoint the following attorneys and/or agents to represent me with respect to the above identified U.S. Patent Application, and to prosecute any continuations, continuations-in-part, reissue applications and/or reexaminations with respect to these applications and to transact all business in the Patent and Trademark Office connected therewith, and hereby expressly revoke all prior powers, whatever they may be, heretofore had herein:

Karl F. Milde, Jr., Reg. No. 24, 822; Steven M. Hoffberg, Reg. No. 33,511 and
Kenneth E. Macklin, Reg. No. 20,875, all of 10 Bank Street, Suite 460, White Plains,
New York 10606, my/our attorneys with full power of substitution and revocation.

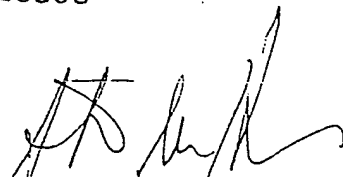
Please address all telephone calls to Steven M. Hoffberg, Esq. at telephone No. (914) 949-3100.

Please address all correspondence to:

Steven M. Hoffberg, Esq.
MILDE, HOFFBERG & MACKLIN, LLP
10 Bank Street - Suite 460
White Plains, New York 10606

Steven M. Hoffberg, Esq.
MILDE, HOFFBERG & MACKLIN, LLP
10 Bank Street - Suite 460
White Plains, New York 10606

Steven M. Hoffberg
NAME OF INVENTOR


INVENTOR=S SIGNATURE

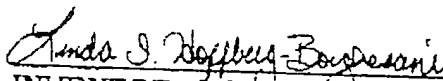
2/1/99
DATE

29 Buckout Road, West Harrison, NY 10994
RESIDENCE

USA
CITIZENSHIP

Same as above
POST OFFICE ADDRESS

Linda I. Hoffberg-Borghesani
NAME OF INVENTOR


INVENTOR=S SIGNATURE

1/31/99
DATE

40 Jackson Drive, Acton, MA 01720
RESIDENCE

USA
CITIZENSHIP

Same as above
POST OFFICE ADDRESS

| | | | |
|--|--------------------------|--------------------|--|
| SUPPLEMENTAL DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) | Attorney Docket Number | LIH-10.1 | |
| | First Named Inventor | Steven M. Hoffberg | |
| | <i>COMPLETE IF KNOWN</i> | | |
| | Application Number | / | |
| | Filing Date | May 31, 2002 | |
| | Art Unit | | |
| | | Examiner Name | |

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ADAPTIVE PATTERN RECOGNITION BASED CONTROL SYSTEM AND METHOD

Amended to:

MEDIA RECORDING DEVICE WITH PACKET DATA INTERFACE

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby declare that the subject matter of the ☒ attached amendment ☐ amendment filed on _____ was part of my or our invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim ~~foreign~~ priority benefits under 35 U.S.C. 120 or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Application Number(s) | Country | Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-----------------------|---------|--------------------------|--------------------------|--------------------------|--------------------------|
| 09/241,135 | USA | 02/01/99 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

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Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

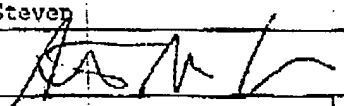
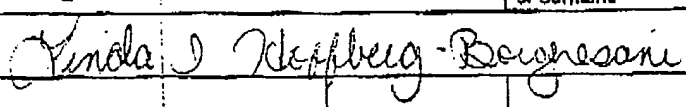
PTO/SB/04 (11-01)

Approved for use through 10/31/2002. OMB 0561-0052

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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SUPPLEMENTAL DECLARATION — UTILITY OR DESIGN PATENT APPLICATION

| | |
|---|---|
| Direct all correspondence to: <input type="checkbox"/> Customer Number <input type="text"/> OR <input type="checkbox"/> Correspondence address below | |
| Name Steven M. Hoffberg | |
| Address Milde & Hoffberg LLP | |
| Address 10 Bank Street - Suite 460 | |
| City White Plains | State NY ZIP 10606 |
| Country USA | Telephone (914) 949-3100 Fax (914) 949-3416 |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | |
| Name of Sole or First Inventor: | <input type="checkbox"/> A petition has been filed for this unsigned inventor |
| Given Name Steven | Family Name or Surname Hoffberg |
| Inventor's Signature  | Date 5/31/02 |
| Residence: City West Harrison | State NY Country USA Citizenship USA |
| Mailing Address 29 Buckout Road | |
| Mailing Address | |
| City West Harrison | State NY ZIP 10604 Country USA |
| Name of Second Inventor: | <input type="checkbox"/> A petition has been filed for this unsigned inventor |
| Given Name Linda | Family Name or Surname Hoffberg-Borghesani |
| Inventor's Signature  | Date 6/3/02 |
| Residence: City Acton | State MA Country USA Citizenship USA |
| Mailing Address 40 Jackson Drive | |
| Mailing Address | |
| City Acton | State MA ZIP 01720 Country USA |
| <input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto. | |

[Page 2 of 2]

TOTAL P.01